

Remarks

The non-final Office Action mailed February 23, 2006 rejected claims 1-5, 7-8, 11-12, 17, 19, 30 and 32, withdrew from further consideration claims 31 and 33, and objected to claims 6, 9-10, 13-14, 16, 18, and 20-24.

The Applicant has hereinabove amended the language of claims 1, 2, 10 and 11, and cancelled without prejudice claims 9, 16, 31 and 33.

Independent claim 1 now generally features an actuator comprising "*a voice coil configured to provide a voltage to the position detector that includes a back-electromotive force component indicative of a movement of the voice coil across a magnetic field.*" Support for this amendment includes the language of cancelled claim 9. Dependent claims 2 and 10 have been amended to better conform to amended claim 1.

Independent claim 11 now generally features a step of "*generating a digital indication of a position of a transducer prior to the spinning up step in relation to an actuator motion pattern determined in relation to the applying step and a back electromotive force measured across a voice coil.*" Support for this amendment includes the language of cancelled claim 16.

It is believed that these amendments are proper, do not introduce new matter and serve to place the application in immediate condition for allowance.

Election/Restriction

Claims 31 and 33 were withdrawn from further consideration as being drawn to a non-elected species. As noted above, these claims have been cancelled without prejudice, thereby obviating this withdrawal.

Rejection of Claims Under 35 U.S.C. §102(e)

Claims 1-5, 7-8, 11-12, 17, 19, 30 and 32 were rejected as being anticipated by U.S. Patent No. 6,876,510 to Teng ("Teng '510"). This rejection is respectfully traversed. The Applicant notes that due to the provisions of §103(c), Teng '510 is not available for consideration as prior art to the present application under §103(a).

With regard to independent claim 1, Teng '510 at least fails to disclose "*wherein the actuator comprises a voice coil configured to provide a voltage to the position detector that includes a back-electromotive force component indicative of a movement of the voice coil across a magnetic field.*" Reconsideration and withdrawal of the rejection of claim 1, and for the claims depending therefrom, are respectfully requested on this basis.

With regard to independent claim 11, Teng '510 at least fails to disclose "*generating a digital indication of a position of a transducer prior to the spinning up step in relation to an actuator motion pattern determined in relation to the applying step and a back electromotive force measured across a voice coil.*" Reconsideration and withdrawal of the rejection of claim 11, as well as for the claims depending therefrom, are respectfully requested on this basis.

Allowable Subject Matter

Claims 34-36 were allowed, and claims 6, 9-10, 13-14, 16, 18 and 20-24 were deemed allowable if rewritten into independent form. The Applicant gratefully acknowledges this indication of allowable subject matter, and appreciates the diligent efforts made by the Examiner during the prosecution of this case. It is now believed that all of the pending claims are in proper condition for allowance.

Upon allowance of the case, the Applicant requests that claim 30 be advanced in sequence so as to appear with the other claims depending from base claim 1.

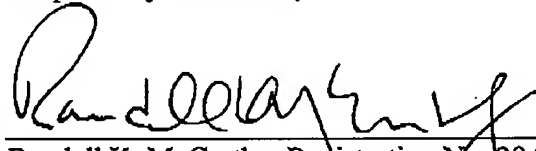
Conclusion

This is intended to be a complete response to the non-final Office Action mailed February 23, 2006. The Applicant respectfully requests reconsideration and allowance of all of the pending claims.

Should any questions arise concerning this response, the Examiner is invited to contact the below signed Attorney.

Respectfully Submitted,

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